

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

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| SHAWN C. SHARP, | } | |
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| Plaintiff, | } | |
| | } | No. 00-2156 |
| vs. | } | |
| | } | Magistrate Judge Hay |
| SUPERINTENDENT PHILLIP L. | } | |
| JOHNSON, et al., | } | |
| Defendants. | } | <i>Electronically Filed.</i> |

CORRECTIONS DEFENDANTS' MOTION IN LIMINE

AND NOW, come the Defendants, Johnson, Krysevig, Dickson, Stickman, Winstead, Terza, Ibrahim, Blaine, Stowitzky, Miller, Coleman, Fisher, Lockett, Matzus, Blakey, Mears, Moneck and Mohammed¹ ("the Corrections Defendants"), by their attorneys, Thomas W. Corbett, Jr., Attorney General, Scott A. Bradley, Senior Deputy Attorney General, and Susan J. Forney, Chief Deputy Attorney General, Chief, Litigation Section, and respectfully submit the following comprehensive motion *in limine* based upon the contents of the Plaintiff's Pretrial Statement:

1. The Corrections Defendants request that the Plaintiff be barred from introducing, eliciting, or referring to the following matters in the course of presenting his case-in-chief, during cross-examination or in rebuttal:
 - a. Any reference to any event, condition or act which occurred after Plaintiff's transfer from the State Correctional Institution at Greene on June 13, 2006;

¹ Plaintiff has used incorrect spellings for the names of several defendants; the Corrections Defendants will use the correct spellings herein.

- b. Any reference to any claim asserted under the Religious Land Use and Institutionalized Persons Act which occurred prior to the effective date of this Act, September 22, 2000;
- c. Any reference to any of the specific accommodations identified in Plaintiff's Narrative Statement of Material Facts, including but not limited to the following: purchase or use of head coverings to cover Plaintiff's dreadlocks; and Hilal or Kosher meals for feasts Plaintiff celebrates.
- d. Any reference to, presentation of evidence on or discussion of any claim which was dismissed, or any associated or corresponding contentions of misconduct or impropriety by any Defendant against whom claims have been dismissed from this action; this would specifically include Plaintiff's claims at the Third and Fourth Causes of Action of the Second Amended Complaint; all claims against Corrections Defendants Blaine, Stowitzky, Miller, Fisher, Lockett, Matzus and Blakey; all claims related to Plaintiff's Administrative Custody status; all claims of retaliation; all claims related to property loss and all claims for compensatory damages.

2. The Corrections Defendants also request that the Plaintiff be barred from introducing, eliciting, or referring to the testimony or statements of any witness to the extent that that testimony does not address actions or practices of any Corrections Defendant which were not specifically directed toward the Plaintiff. In other words, the Corrections Defendants object to any general testimony regarding the Department of Corrections' alleged "discriminatory religious practices" and alleged "discriminatory policies and practices related to religious accommodation requests" that were not directed to, did not involve or did not otherwise affect Plaintiff.

3. The Corrections Defendant's supporting brief is incorporated herein by reference.

WHEREFORE, the Corrections Defendant respectfully requests that the Court grant the foregoing Motion *in Limine*.

Respectfully submitted,

THOMAS W. CORBETT, JR.
Attorney General

Office of Attorney General
6th Floor, Manor Complex
564 Forbes Avenue
Pittsburgh, PA 15219
Phone: (412) 565-3586
Fax: (412) 565-3019

s/ Scott A. Bradley

Scott A. Bradley
Senior Deputy Attorney General
Attorney I.D. No. 44627

Susan J. Forney
Chief Deputy Attorney General

Date: December 11, 2006